

Docket No. 740756-2661
Application No. 10/690,635
Page 7

REMARKS

By way of the present response, claim is amended 1, claims 2-30 are canceled without prejudice or disclaimer and new claims 31-54 are added. Claims 1 and 31-54 currently are pending. Favorable reconsideration is respectfully requested in view of the above amendments and the remarks advanced below.

Starting on Page 2 of the Office Action, claims 1, 7, 4 and 10 were rejected under 35 U.S.C. §102(e) as being anticipated by Sato et al. (U.S. Patent No. 6,855,236), claims 17, 20, 25 and 26 were rejected under 35 U.S.C. §103 as being obvious over Sato et al. in view of Sahase et al. (JP 04-032563), claims 1-26 were rejected under Section 103 as being obvious over Katsura et al. (U.S. Patent No. 4,933,063) in view of Noriaki et al. (JP 08-277461), claim 27 was rejected under Section 103 as being obvious over Katsura et al. and Noriaki et al. in view of Sproul et al. (U.S. Patent No. 5,942,089), claims 28 and 29 were rejected under Section 103 as being obvious over Schachter et al. (U.S. Patent No. 4,732,659) in view of Shin (U.S. Patent No. 5,703,668) and Katsura et al., and claim 30 was rejected under Section 103 as being obvious over Schachter et al., Shin, and Katsura et al., and in further view of Sproul et al. To the extent the Office may consider these rejections to apply to amended claim 1 and new claims 31-54, Applicants respectfully traverse.

Applicants note initially that the rejections of claims 2-30 have been rendered moot by the cancellation of these claims.

With respect to amended independent claim 1, it is respectfully submitted that none of the applied references teach or suggest the combination of each and every feature presently recited, namely, a sputtering system that includes a semiconductor target material comprising a semiconductor material, and a part coated with a spray material comprising the same material as the semiconductor target material. For instance, the Sato et al. patent does not appear to mention a semiconductor material target, much less a spray material comprising the same semiconductor material as the target material. Rather, Sato et al. describes an apparatus for vacuum deposition in which a metal based coating is sprayed on a surface of a body component (e.g., see column 3, lines 35-45.) Hence, it is respectfully submitted that Sato et al. does not teach or suggest the claimed features of a semiconductor target material and spray material as set forth in the context of amended claim 1.

New independent claims 33, 36, 39, 43, 47 and 51 each recite *inter alia* "a

W694127.1

Docket No. 740756-2661
Application No. 10/690,635
Page 8

semiconductor target comprising a semiconductor material” and a sputtering system part coated with a spray material. Claim 33 recites that the spray material comprises an oxide of the semiconductor target material, claim 36 recites that the spray material comprises a nitride of the semiconductor target material, and claims 39, 43, 47 and 51 each specify that the spray material comprises one of the same material as the semiconductor target, an oxide of the semiconductor material and a nitride of the semiconductor material. Support for these features are found throughout the original disclosure, for example, in paragraphs 0008-0014 of the published version of the specification. It is respectfully submitted that none of the applied references teaches or suggest these features in the context in which they are set forth in new independent claims 33, 36, 39, 43, 47 and 51.

For example, the Office contends that the Katsura et al. patent teaches a sputtering system, that the target material is formed of high purity quartz (i.e., SiO₂), and that the target material comprises the semiconductor material Si (see the Office Action, lines 10-12 of page 4). It is respectfully submitted, however, that such reasoning is factually incorrect. A semiconductor *material*, such as silicon, for example, is based on different structure and possesses different characteristics from that of high purity quartz. That is, the high purity quartz (SiO₂) target material as described in Katsura et al. is not *semiconductor material*. Rather, it is an *insulator*. Additionally, the Office characterizes the Noriaki et al. document as teaching “a dielectric target.” A dielectric target, however, is likewise not a *semiconductor target*. Nor can a dielectric material reasonably be construed to mean semiconductor material. See, *In re Morris*, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997), for an explanation of how the PTO applies the broadest reasonable meaning to claim terms.

It is respectfully submitted that the remaining Sahase et al., Sproul et al., Schachter et al. and Shin documents fail to remedy the shortcomings pointed out above with respect to the Sato et al., Katsura et al. and Noriaki et al. documents. Hence, no combination of these documents teach or suggest what is presently recited in each of the claim 1, 33, 36, 39, 43, 47 and 51 combinations.

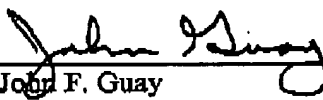
The remaining dependent claims depend from one of independent claims 1, 33, 36, 39, 43, 47 and 51, and are therefore allowable at least for the reasons pointed out above, and further for the additional features recited.

W684127.1

Docket No. 740756-2661
Application No. 10/690,635
Page 9

All rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance, and prompt notice of the same is earnestly sought.

Respectfully submitted,


John F. Guay
Registration No. 47,248

NIXON PEABODY LLP
Suite 900, 401 9th Street, N.W.
Washington, D.C. 20004-2128
(202) 585-8000

W684127.1